

Introduced by Senator De León

April 19, 2012

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8.7 to Article XVI thereof, relating to public finance.

LEGISLATIVE COUNSEL'S DIGEST

SCA 21, as introduced, De León. Public finance: higher education and corrections.

The California Constitution provides that, from all state revenues, there shall be first set apart the moneys to be applied by the state for support of the public school system and public institutions of higher education, and establishes a minimum amount to be applied for the support of school districts and community college districts, as specified.

This measure would further require that, in the 2013–14 fiscal year, and in each fiscal year thereafter, the amount appropriated from the General Fund of the state for the support of public institutions of higher education, as defined, be greater than the amount appropriated from the General Fund of the state for the support of the state prison system, as defined.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

1 WHEREAS, In the 20th century, California led the nation, and
2 the world, in the number of high school graduates who continued
3 on to college and earned degrees. Our famed public higher
4 education system profoundly shaped the aspirations of the State's
5 citizens and, ultimately, their views on what it meant to be a

1 Californian. Our system also attracted talent from throughout the
2 nation and the world, and it helped build and sustain an
3 entrepreneurial spirit that shaped new sectors of the State's
4 economy, from microchips to biotechnology; and

5 WHEREAS, Educational attainment levels predict the overall
6 economic performance of a state or nation. California was
7 historically among the top states in degree-completion rates, but
8 now it ranks among the bottom 10 states; and

9 WHEREAS, In the year 2000, the State contributed \$18.6 billion
10 to public institutions of higher education and this funding has
11 declined every year since then. In the 2010–11 fiscal year, the
12 State contributed \$12.3 billion to higher education. The share of
13 expenditures borne by students in the form of fees has tripled, from
14 13 percent in 2000 to 40 percent in 2011; and

15 WHEREAS, The rising cost of incarcerating prisoners combined
16 with a decrease in spending on rehabilitation programs further
17 depresses our economy; and

18 WHEREAS, According to data from the Department of Finance,
19 in the 2010–11 fiscal year, the State invested \$3,329 per student
20 in higher education as compared to \$61,710 per inmate in state
21 prison; and

22 WHEREAS, In 1977, the population of California's prisons was
23 19,600 inmates. Today, that population is more than 130,000
24 inmates, which is more prisoners than in France, Great Britain,
25 Germany, Japan, Singapore, and the Netherlands combined. After
26 spending \$5.2 billion on prison construction over the last 15 years,
27 California now has not only the largest but also the most
28 overcrowded prison system in the United States. The United States
29 has less than 5 percent of the world's population, but it has nearly
30 a quarter of the world's prisoners; and

31 WHEREAS, Voters have chosen to pass public safety ballot
32 initiatives without specifying funding sources to cover their cost,
33 thereby forcing cuts to higher education, health care, and
34 transportation; and

35 WHEREAS, By 2018, 63 percent of all jobs in the United States
36 will require some form of postsecondary education or training,
37 according to estimates by the Georgetown University Center on
38 Education and the Workforce. The United States is prepared to
39 deliver only a fraction of this education. Currently, only 38 percent

1 of America’s young adults have a college degree, compared to 58
2 percent of South Koreans; now, therefore, be it

3 *Resolved by the Senate, the Assembly concurring*, That the
4 Legislature of the State of California at its 2011–12 Regular
5 Session commencing on the sixth day of December 2010,
6 two-thirds of the membership of each house concurring, hereby
7 proposes to the people of the State of California, that the
8 Constitution of the State be amended as follows:

9 That Section 8.7 is added to Article XVI of the California
10 Constitution, to read:

11 SEC. 8.7. (a) In the 2013–14 fiscal year, and in each fiscal
12 year thereafter, the amount appropriated from the General Fund
13 of the State for the support of public institutions of higher education
14 shall be greater than the amount appropriated from the General
15 Fund of the State for the support of the state prison system.

16 (b) For purposes of this section, the following definitions apply:

17 (1) “Public institutions of higher education” means community
18 college districts, the California State University system, and the
19 University of California system.

20 (2) “State prison system” means all entities and operations under
21 the management and control of the Department of Corrections and
22 Rehabilitation or any successor state entity.